IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE SEVENTH DAY OF OCTOBER
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE K.C. BHANU

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WRIT PETITION NO : 21838 of 2005

Between:

Mandava Jayaram Rao, S/o. Bhushaiah,
R/o. 10-21, Enikepadu Post, Ramalayam Street,
Vijayawada Rural Mandal, Vijayawada.

..... PETITIONER

AND

1. The Commissioner, Endowments Department, Hyderabad.

2. The Assistant Commissioner, Endowments Department,

Vijayawada.

3. The Executive Officer, Sri Durga Malleswara Swamy, Varla,
Devasthanam, Indrakeeladri, Vijayawada-520001.

...RESPONDENTS

* * *

ORDER:

This writ petition has been filed seeking a writ of Mandamus declaring the action of the respondents in not completing the sale transaction with regard to the land in R.S.No.17/1 AB, admeasuring Ac.0-77

cents of Sri Durga Malleswara Swamy Temple, Vijayawada in pursuance of the proceedings of the Commissioner, Endowments dated 08.01.2004 and also the proposal of 3rd respondent dated 30.01.2004, as illegal and arbitrary.

2. The grievance of the petitioner is that though the 3rd respondent informed the first respondent through his proceedings dated 30.01.2004 about his (petitioner's) willingness to purchase the subject land, the first respondent has not taken any steps to sell the subject land as per provisions of Section 82(2) of the Andhra Pradesh Charitable and Hindu Religious Institutions and Endowments Act, 1987.

3. Heard the learned counsel for the petitioner and the learned Government Pleader for Endowments appearing for the respondents 1 and 2 and the learned Standing Counsel appearing for the 3rd respondent.

4. Appropriate decision has to be taken by the first respondent in pursuance of the report submitted by the 3rd respondent dated 30.01.2004.

5. Therefore, without going into the merits of the case, the writ petition is disposed of directing the first respondent to take appropriate decision on the report dated 30.01.2004 submitted by the third respondent within a period of four weeks from the date of receipt of a copy of this order. No costs.

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K.C.BHANU, J.

Date: 07th October 2005,

BSB